

Mock Nuremberg Trials

Grade Level: Grade 5
Content Areas: Social Studies
Time to Complete: Approximately four hours or class periods
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1. South Carolina Curriculum Standards Addressed (T = Targeted, I = Introduced, R = Reinforced/Reviewed)

- **Social Studies**

II. Power, Authority, and Governance: Government/Political Science

- 5.8 The learner will demonstrate an understanding of the role of the citizen in American democracy, including personal and civic rights and responsibilities. (T)
 - 5.8.3 explain how citizens can influence policies and decisions by working with others (I, T)
 - 5.8.4 formulate personal opinions and communicate them to key decision and policymakers (T)

2. Lesson/Unit Description

This is a conclusion lesson that works only after a unit study on the Holocaust. In the lesson, students will develop an understanding of the term “crimes against humanity” through historical research and a fictional dramatization of the Nuremberg trials.

3. Focus Questions for Students

Social Studies

- What is the difference between everyday crimes and “crimes against humanity”?
- How can one person fight evil?
- Why is it important to be able to back up opinion with fact?

4. Culminating Assessment

Students will complete the “Mock Trial Verdicts” worksheet (attachment 4) immediately following the individual defendants’ testimonies. The following day, students will discuss why they chose the particular sentences that they did. After listening to the teacher read the real outcomes of the trials, students will have an opportunity to discuss why they agree or

disagree with the verdicts. Each student will then choose one fictitious character from the trial and write a response to the open-ended question “How did this person contribute to the Holocaust, and what, if anything, could he or she have done differently to prevent it?”

Students will be assessed on their judgment rubrics, class participation, attentive listening, checklists, and the open-ended response essay.

5. Materials/Equipment/Resources

Included in this lesson:

- mock Nuremberg trials instructions and background information (attachment 1)
- photographs of the Nuremberg trials building and courtroom (attachment 2)
- testimony of nine defendants (attachment 3)
- “Mock Trial Verdicts” sheet for students (attachment 4)
- “The Actual Results at Nuremberg,” table of the verdicts and sentences (attachment 5)
- teacher resource on the trial outcomes (attachment 6)
- “Student Self-Assessment: Class Participation Checklist” sheet (attachment 7)
- “Attentive Listening Assessment Form” for the teacher (attachment 8)
- “Essay Sheet: Open-Ended Response” (attachment 9)

Also needed to conduct this lesson:

- two resource books: *The Aftermath: Europe*, by Douglas Botting (Time-Life World War II Series; Alexandria, VA: Time-Life Books, 1983), and *The Nuremberg Trials*, by Earle Rice (Detroit, MI: Gale Group, 1998)

6. Teacher Preparation

- A. Find books, stories, and/or videos to give students background information about the Nuremberg trials.
- B. Find examples of events in the news today that could be labeled as “crimes against humanity.”

7. Procedures

Teacher Activities	Student Activities	Assessment
Introduce information and background on the Nuremberg trials.	Listen, participate, ask questions.	Informal teacher observation of class participation

Read to the class excerpts from the two resource books, <i>The Aftermath: Europe</i> and <i>The Nuremberg Trials</i> .	Listen to the readings.	
<p>Introduce the mock trial, using the information and instruction on attachment 1, titled “Conducting the Mock Nuremberg Trials.”</p> <p>Show the students the pictures on attachment 2.</p> <p>Assign parts for individual students to play in the mock trials. Go over the directions.</p> <p>Conduct the mock trial.</p>	<p>Listen to the directions for the trial.</p> <p>Perform the role in the trial that you have been assigned.</p>	
Have students render their verdicts by completing the “Mock Trial Verdicts” sheet (attachment 4).	Render your verdicts by completing the “Mock Trial Verdicts” sheet.	Teacher evaluation of “Mock Trial Verdicts” sheet
Lead the class in a discussion of why they chose the particular sentences that they did.	Participate in the class discussion.	Teacher evaluation of class participation
Read the real Nuremberg verdicts (attachment 5) to the class. Lead a class discussion on the trial outcomes (see attachment 6). Lead the class in a discussion of why they agree or disagree with the actual verdicts.	Participate in the class discussion.	Teacher evaluation of class participation

Have students complete the “Student Self-Assessment: Class Participation Checklist” sheet (attachment 7).	Complete the “Student Self-Assessment: Class Participation Checklist” sheet.	Teacher evaluation of the “Student Self-Assessment: Class Participation Checklist” sheet Teacher assessment of student performance using the attachment 8, the “Attentive Listening Assessment Form”
Explain to students that they are to choose one of the fictitious characters from the mock trial and then write about that character as a response to the question on the essay sheet. Give out the essay sheet for the students to use (attachment 9).	Choose one of the fictitious characters from the mock trial and write about your character in responding to the question on the essay sheet.	Teacher assessment of the open-ended response essay.

8. Differentiation of Instruction

This lesson is appropriate for children of all ability groups since much of the “action” is oral, with room for discussion. Students with oral disabilities can be given smaller parts in the mock trial, while gifted/talented students can assume the larger parts.

Attachment 1

Conducting the Mock Nuremberg Trials

Instructions: This original skit provides speaking parts for nine defendants and one lawyer. However, you can add a bailiff, a court recorder, and any one else you feel would contribute to the scene. The part of the lawyer is crucial, and sometimes it is better for the teacher to assume that role unless a student with good oratory skills has been given sufficient time to practice.

A. Characters

1. Adolf Hitler, führer of Germany
2. Emil B.,* manager of a chemical plant
3. Wilhelm J.,* engineer of a train
4. Berta D.,* guard in charge of women's barracks at Auschwitz
5. Hans Z.,* author and publisher of anti-Semitic (anti-Jewish) pamphlets
6. Martin Bormann, Hitler's personal secretary
7. Hermann Goring, top military aide to Hitler in the Third Reich, designated "marshal of the empire" by Hitler, commander of the Luftwaffe (German Air Force)
8. Alfred Rosenberg, Nazi party philosopher (helped create the Nazi racial policy)
9. Johann S.,* average German citizen

*fictitious character

B. Background Information

Before the trials begin, a **narrator** (the part can be played by the lawyer, who is usually the teacher) should give the following speech to provide the class with necessary background information:

Following the defeat of Hitler, liberators of the Nazi death camps were confronted with horrifying scenes of atrocities that had been perpetrated against the Jews. These scenes, along with evidence of many other such acts of cruelty and injustice, led authorities to charge twenty-four Nazi leaders with "crimes against humanity." In November 1945, just months after the end of World War II, an International Military Tribunal was established by the United States, Great Britain, France, and the Soviet Union to preside over the trials of these accused war criminals. The trials were held in Nuremberg, Germany.

We have just completed our study of the Holocaust, and today *you*, the members of the class, will become the International Military Tribunal. You will be given the responsibility of judging the degree of guilt of the nine defendants who will appear before you and of determining the sentences that they will receive. Four of these defendants are actual historical figures, and five are fictional characters who represent everyday German citizens.

In a sense, each defendant who will testify today is guilty of contributing in one way or another to Hitler's "Final Solution," the annihilation of the Jewish race. But our challenge today is to assess the *degree* of their guilt. Literally speaking, Adolf Hitler never killed a single Jewish person, yet before his dictatorship was had ended, some six million Jews were dead because of him. If Hitler himself did not kill any Jews, then how was this killing accomplished? Today as you listen to the testimonies, be prepared to write your assessment of the degree of guilt for each of the accused. Then be ready tomorrow to discuss and back up your opinion.

C. Instructions on Rendering a Judgment

Give out the "Mock Trial Verdicts" sheet for students (attachment 4) and go over the directions. Each student will weigh the testimony and judge the defendant. If a student is playing a part, he or she is ineligible to judge that particular personage but can judge the other defendants.

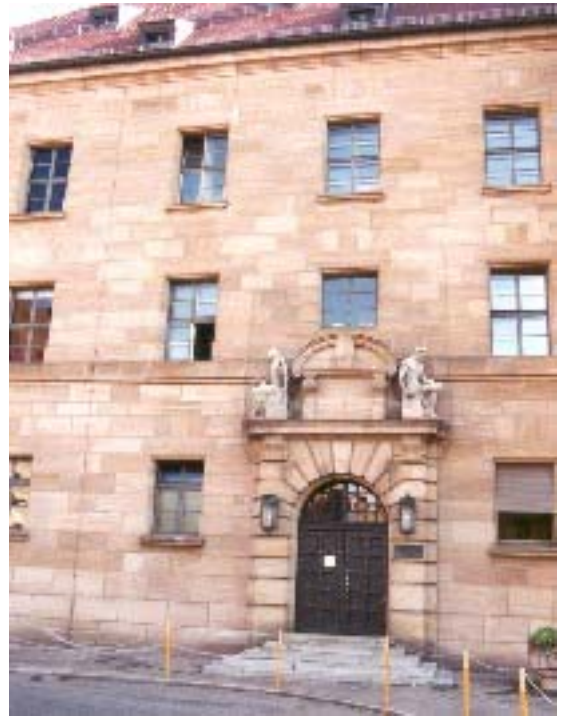
Be sure to tell the students that "I was just obeying orders" was the only defense that most of the Nazi military commanders could offer for themselves. This defense was thrown out by the Tribunal, however. It was *not accepted* as an excuse for a defendant's participation in the murder of innocent people.

D. Beginning the Trial

Suggestion: establish rules for the courtroom—for example, there should be no talking or discussion, and each judgment should be a personal decision based on the testimony.

Call the first defendant (the bailiff can do this): "Hear ye, hear ye. Court is now in session. The court calls Adolf Hitler to the stand." (Optional: swear in the defendant.)

Attachment 2



The east wing of the Palace of Justice, where the Nuremberg trials were held.



Inside the courtroom in Nuremberg.

Look where the guard is standing. That particular panel in the wall is actually a door that leads to the prison.

Attachment 3

Testimony of Nine Defendants

Adolf Hitler, German Führer

Hitler committed suicide before he could be brought to trial. This “testimony” uses some of his last written thoughts to predict what he would probably have said in his own defense.

Lawyer: Sir, do you realize that over six million Jews and other innocent victims have died because of you?

Hitler: Don’t you realize that the Jew was responsible for Germany’s losing World War I? They were cowards. They did not belong to Germany. The more I saw them, the more I realized that they did not belong here. They were impure. As for the rest of the population, ah well, in wartime, people always die.

Lawyer: Why didn’t you just relocate the Jewish population instead of murdering them?

Hitler: Oh, no, they would not have left, or even if they did, they would have returned. They had to die, don’t you see, so they would never return.

Lawyer: Do you regret what you did?

Hitler: My only regret is my failure in not winning the war and exterminating the Jewish population. They started the war, not me, and once again brought Germany to defeat.

Lawyer: Why do you think the Germans lost again?

Hitler: We did not fight hard enough. Next time we will do better, fight with more determination and never give up an inch of territory. There are those who say that I started the war. That is untrue, completely false! Later generations cannot place the blame for the war on me. I only wanted peace. The war was the creation of the Jews, and their tools were our enemy!

Lawyer: What do you think will happen to you?

Hitler: I am sure my enemies will want to destroy me. Actually I have no wish to live in a defeated Germany. But they will never kill me!

Lawyer: [*Shakes his head sadly.*] That will be all, Führer!

Emil B.,* Manager of a Chemical Plant

*fictitious character

Lawyer: Mr. Emil, do you own and operate a small chemical plant in Germany?

Emil: Yes, I do!

Lawyer: What types of chemicals do you produce at your plant?

Emil: All different kinds. Chemicals used in food additives, laboratory chemicals. You know. That kind of thing.

Lawyer: Do you make any poisonous chemicals—specifically poisonous to humans?

Emil: Well, of course, a lot of chemicals are poisonous to humans!

Lawyer: But, specifically, does your plant manufacture Zyklon B—prussic acid crystals that become deadly when they hit the air?

Emil: Yes, those crystals are produced at my plant.

Lawyer: Didn't you think it was sort of strange that the government was asking you to make more and more of these cyanide crystals?

Emil: Not at first. These crystals are used for various purposes, like killing diseased cattle and other things like that.

Lawyer: But surely you knew where these crystals were being shipped to Auschwitz! You must have at least suspected that something wasn't right?

Emil: OK, OK, I did suspect that these chemicals were being used to kill our enemies, but I had no idea of the mass murders going on.

Lawyer: Would you have stopped sending them if you had known?

Emil: Honestly, I don't know. It was a direct order. If I refused, I would have become suspected of being anti-Nazi and perhaps would have ended up in Auschwitz myself. Besides, business was good. I had more orders than I could handle. My family was living better than ever before. And even if I had been fired or killed, the Nazis would simply have found someone else.

Wilhelm J.,* Train Engineer

*fictitious character

Lawyer: Obviously the passengers on your train were not your ordinary passengers.

Wilhelm: No, sir, they weren't.

Lawyer: How could you have driven those pathetic men, women, and children to their deaths?

Wilhelm: Ah, well, how did I know they were all going to die?

Lawyer: Well, it was a one-way train, wasn't it? You never brought anyone back, did you?

Wilhelm: No, but it was none of my business.

Lawyer: You said earlier that you didn't know your passengers were going to die. But didn't some of them die before your very eyes, machine-gunned to death upon arrival?

Wilhelm: It was none of my business. I got paid to run the train, period! And besides, what could I have done? Nothing, absolutely nothing! I heard nothing, and I saw nothing.

Berta D.,* Guard in Charge of Women's Barracks at Auschwitz

*fictitious character

Lawyer: Madam, would you consider your job an easy one or a hard one?

Berta: It was a job that had to be done. As the popular saying goes, "It was a dirty job, but someone had to do it."

Lawyer: What exactly were you supposed to do?

Berta: Keep a precise record of everyone in the barracks. Also included was a daily list of who was still living, who was dead, and who was too weak to work.

Lawyer: Was torture ever used on the prisoners?

Berta: Occasionally, to make them talk. But actually there were few women worth saving for information reasons.

Lawyer: When you told those who were too weak to work to go left, did you realize what was going to happen to them? In other words, that they would be killed.

Berta: I asked no questions. That was not my responsibility. Besides, there were always more coming in to fill their bunks. I didn't have time to worry myself over them.

Hans Z.,* Author and Publisher of Anti-Semitic Pamphlets

*fictitious character

Lawyer: Do you know why you are here today, sir?

Hans: Not really, I'm not in the same category as some of these guys. After all, what I did didn't hurt anybody.

Lawyer: Sir, have you ever heard the expression "The pen is mightier than the sword"? Don't you realize that you poisoned peoples' minds against the Jews with your writings?

Hans: So I wrote a few pamphlets about them. Big Deal! I didn't force anybody to read them.

Lawyer: Are you aware that a young Austrian by the name of Adolf Hitler was greatly influenced by your writings and ultimately had six million Jews killed because of his poisoned, prejudiced mind.

Hans: You can't blame that on me. I didn't twist his arm. He didn't have to read it. I could express my opinion, and I did. I'm not guilty of anything. You can't hold me responsible for anything!

Martin Bormann, Hitler's Personal Secretary

This testimony is fictitious. Bormann was missing at the time the Nuremberg trials were held. He was, however, tried in absentia.

Lawyer: I suppose, since you were Adolf Hitler's personal secretary, you knew him as well as or better than anyone else.

Bormann: I suppose so.

Lawyer: Then not only were you aware of Hitler's orders to exterminate the Jews, but you agreed with them. Is that not correct?

Bormann: Yes, I am not ashamed to say that I did agree with Hitler's ideas. Jews were evil, and evil must always be destroyed.

Lawyer: Then you have nothing to say in your defense.

Bormann: What is there to defend? The Führer's orders were sacred. I simply typed them up and distributed them. And yes, I won't deny it. I thought he was a great man, and I am still proud to have been a part of Germany's greatness, at least for a moment.

Hermann Goring, Supreme Commander of the Luftwaffe

This testimony is based on the actual trial transcripts.

Lawyer: Like Mr. Bormann, you too knew Hitler in 1922 and were with him until the end of his power in 1945, correct?

Goring: Yes, I did.

Lawyer: Von Papan, a comrade of yours, told me in confidence that you told him that in the last years of the war, you felt that Hitler was insane but you felt unable to do anything about it.

Goring: I will not say a word against Hitler.

Lawyer: In other words, you will not try to defend yourself or your actions.

Goring: No comment.

Lawyer: Do you think your death will accomplish anything? Will the memory of what you have done be enough for you? Are you ashamed or proud of your part in the Third Reich?

Goring: In fifty or sixty years, there will be little statues of Hermann Goring all over Germany. Little statues perhaps, but one in every German home.

Lawyer: Do you think you will be executed?

Goring: Yes, I know I will die, but one day my remains will be laid in a marble tomb, and I will be celebrated as a national hero and martyr.

Lawyer: Do you realize that there are some Jewish survivors left in Hungary? Weren't you in charge of that area?

Goring: So there are some still there? I thought we had knocked them all off. Somebody slipped up again.

Alfred Rosenberg, Nazi Party Philosopher

- Lawyer:* What exactly was your philosophy about the European Jew?
- Rosenberg:* I've published many books on my philosophy. The Nordic, or German, people had pure blood. The Jews did not! The Germans must defend their pure blood by getting rid of the impure blood.
- Lawyer:* Do you realize that you were the man who actually gave Hitler the ideas on how to exterminate the Jew?
- Rosenberg:* It had to be. You simply can't mix pure blood with impure blood. It just had to be! It just had to be!

Johann S.,* Average German Citizen

*fictitious character

- Lawyer:* Do you understand why you are here today?
- Johann:* To be truthful, no! Surely you can't hold me responsible for what our leaders did!
- Lawyer:* Where did you live during the war?
- Johann:* Munich. Why do you ask?
- Lawyer:* Because Munich is very near the Sachsenhausen concentration camp. Do you mean to say that you didn't know what was *really* going on in there?
- Johann:* No, sir, I didn't.
- Lawyer:* In other words, "see no evil, hear no evil, speak no evil"—is that right, sir?
- Johann:* OK, OK, I did suspect that something bad was going on in there. We heard rumors too . . . but one always hears rumors in wartimes. How was I to know if it was true or just propaganda? I did sincerely hope that nothing was going on in there as we had heard. I do sincerely mean that—I never wanted to cause anybody any harm—and that included the Jews.
- Lawyer:* Surely you weren't blind to what was going on, right before your eyes, though. The public humiliation of Jews, the scenes in the streets of Jews being persecuted and killed. Men, women, and children being rounded up and deported. Surely you knew that they were not being treated humanely.
- Johann:* Yes, I saw that. And I felt awful about it . . . some of these people had been my friends . . . I mean, *were* my friends . . . but what could I do? One person all alone. And besides, I had my family to consider, too. Harm would have come to them. I

couldn't risk that happening. It was awful having to pretend not to see what was right before your eyes. Believe me, I *suffered* watching. But in reality, could one person have done anything to correct the terrible situation? Can one person fight a whole government? Mr. Lawyer, what would *you* have done in my shoes?

Lawyer: I really don't know, sir. I wonder . . . can one person influence a government and overcome evil? Interesting question. That will be all, sir.

Attachment 4

Mock Trial Verdicts

Directions: After hearing the testimony, decide the appropriate sentence for each of the defendants, based on your judgment as to the degree of his or her guilt. Once again, “I was just obeying orders” was not accepted as an excuse for murder. Yet there are no right or wrong answers here. Just follow your feelings after hearing the testimony.

Use the to the following scale to indicate your judgment:

- 0 = not guilty, should be acquitted (i.e., should go free)
- 1 = should be given ten years imprisonment
- 2 = should be given twenty years imprisonment
- 3 = should be given thirty years imprisonment
- 4 = should be given life imprisonment
- 5 = should be given the death sentence

- _____ Adolf Hitler, führer of Germany
- _____ Emil B.,* manager of a chemical plant
- _____ Wilhelm J.,* engineer of a train
- _____ Berta D.,* guard in charge of women’s barracks at Auschwitz
- _____ Hans Z.,* author and publisher of anti-Semitic (anti-Jewish) pamphlets
- _____ Martin Bormann, Hitler’s personal secretary
- _____ Hermann Goring, top military aide to Hitler in the Third Reich, designated “marshal of the empire” by Hitler, commander of the Luftwaffe (German Air Force)
- _____ Alfred Rosenberg, Nazi party philosopher (helped create the Nazi racial policy)
- _____ Johann S.,* average

Tomorrow you will hear what the sentences were handed down at the Nuremberg trials for the four real defendants. We also want to discuss why and how you judged the guilt of the five fictitious German citizens and their role in the Holocaust. Be ready to explain your decision!

Attachment 5

The Actual Results at Nuremberg

This table specifies the verdicts and the sentences handed down to three major Nazi war criminals at the Nuremberg trials.

Defendant	Count 1	Count 2	Count 3	Count 4	Sentence
Martin Bormann*	Not guilty	—	Guilty	Guilty	Death (hanging)
Hermann Goring*	Guilty	Guilty	Guilty	Guilty	Death (hanging)
Alfred Rosenberg	Guilty	Guilty	Guilty	Guilty	Death (hanging)

*Bormann, who was never actually at the trials, was convicted in absentia. It was later discovered that he had died in 1945.

*Goring committed suicide before he could be executed.

Attachment 6

Teacher Resource: Trial Outcomes

The best resource for final reading on what really happened to the four “real” Nuremberg defendants is the book *The Aftermath: Europe*, by Douglas Botting. Starting on page 64, the chapter “Justice at Nuremberg” gives horrific, thought-provoking, and (ironically) even humorous facts about the accused war criminals. The chapter also gives a lot of trivia, which students enjoy. You can even learn about the reactions of the four real defendants as their sentences were read.

Warning: Some of the death pictures in the book are quite gory, and your judgment will be warranted as to whether you should show some or none of them. Make sure the irony is not missed when the story concludes with the bodies of the executed being cremated at Dachau and their ashes being scattered in the Isar River (what goes around comes around), leaving no relics and no memorials to influence the future. A discussion of the rebirth and rise of interest in neo-Nazism would make an interesting conclusion.

Students will want to know why Martin Bormann, Hitler’s secretary, was convicted in absentia. You will need to explain the Latin term *in absentia* (“in absence”) and then read Botting’s chapter on Bormann, “Solving the Mystery of Hitler’s Evil Spirit.” Fascinating coincidences are involved in the story.

The best class discussions come from the mixed verdicts for “Johann S., average German citizen.” The question is, of course, how responsible are citizens for the actions of their leaders? This issue provides the perfect opportunity to bring in the preamble to the United States Constitution, “We the People. . . .” The discussion should precede your use of attachment 9, the question for open-ended response.

Attachment 7

Student Self-Assessment: Class Participation Checklist

Name: _____

Date: _____

Class: _____

	Never	At Times	Mostly	Always
I listened to people in my class.				
I helped other people.				
I contributed ideas and information.				
I helped to clarify and summarize ideas and information.				
I encouraged others.				
I participated in making decisions.				
I expressed appreciation to others.				
I helped us to reflect on what we learned.				

Notes:

Attachment 8

Attentive Listening Assessment Form

Date: _____

Lesson: _____

Tally each time the behavior is observed.

Names of individuals or classes	Basic Skills					Advanced Skills				
	Faces speaker, leans forward	Maintains eye contact	Nods, smiles if appropriate	Does not interrupt the speaker	Encourages the speaker to continue talking	Asks relevant questions to clarify and show interest	Paraphrases the speaker's main ideas	Reflects the speaker's feelings	Summarizes for the group	TOTALS

Attachment 9

Essay Sheet: Open-Ended Response

Question for open-ended response: How did this (fictitious) person contribute to the Holocaust, and what, if anything, could he or she have done differently to prevent it?

[illegible]